

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                           |   |                                       |
|---------------------------|---|---------------------------------------|
| KENNETH MARSHALL,         | : |                                       |
|                           | : |                                       |
| Petitioner,               | : | Civil Action 2:14-cv-812              |
|                           | : |                                       |
| v.                        | : | JUDGE GREGORY L. FROST                |
|                           | : |                                       |
| WARDEN, PICKAWAY          | : | Magistrate Judge Elizabeth P. Deavers |
| CORRECTIONAL INSTITUTION, | : |                                       |
|                           | : |                                       |
| Respondent.               | : |                                       |

**ORDER**

This matter is before the Court for consideration of Petitioner's Motion for Relief from Judgment. (ECF No. 43.) The Motion is **DENIED WITHOUT PREJUDICE**. This case is now on appeal to the United States Court of Appeals for the Sixth Circuit. The Court, therefore, has no jurisdiction to enter the relief Petitioner seeks. *See Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982) (“The filing of a notice of appeal is an event of jurisdictional significance-- it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.”)

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE